

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

*Your Committee on Technology, Research and Development, to which was referred Senate Bill 417, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 2, line 29, after "include" insert "**:**"
- 2 **(1) aggregates;**
- 3 **(2) fillers;**
- 4 **(3) cementitious materials; or**
- 5 **(4) any combination of aggregates, filler, or cementitious**
- 6 **materials;**
- 7 **that are used in the manufacture of".**
- 8 Page 3, line 17, delete "6-3.1-25" and insert "**6-3.1-25.2**".
- 9 Page 3, line 19, delete "6-3.1-25" and insert "6-3.1-25.2".
- 10 Page 3, line 22, delete "25." and insert "**25.2**".
- 11 Page 4, line 17, after "include" insert "**:**"
- 12 **(1) aggregates;**
- 13 **(2) fillers;**
- 14 **(3) cementitious materials; or**
- 15 **(4) any combination of aggregates, filler, or cementitious**
- 16 **materials;**

1 **that are used in the manufacture of".**

2 Page 6, between lines 20 and 21, begin a new paragraph and insert:

3 "SECTION 3. IC 13-11-2-15.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JANUARY 1, 2004]: **Sec. 15.5. "ASTM" refers to the**
6 **American Society for Testing and Materials.**

7 SECTION 4. IC 13-19-3-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JANUARY 1, 2004]: Sec. 3. The board may
9 not adopt rules under section 1 of this chapter to regulate the following:

10 (1) The disposal of waste indigenous to the coal mining process
11 **and coal combustion products (as defined by ASTM**
12 **E-2201-02a), including fly or ash, bottom ash, boiler slag,**
13 **fluidized bed combustion ash, or coal combustion fly or bottom**
14 **ash in mixture with flue gas desulfurization byproducts generated**
15 **by material produced from the combustion of coal or the**
16 **cleaning of stack bases on** coal combustion units if the material:

17 (A) is not included in the definition of hazardous waste or is
18 exempt from regulation as a hazardous waste under 42 U.S.C.
19 6921; and

20 (B) is disposed of at a facility regulated under IC 14-34.

21 (2) The use of coal combustion **products (as defined by ASTM**
22 **E-2201-02a), including fly or ash, bottom ash, boiler slag,**
23 **fluidized bed combustion ash, or coal combustion fly or bottom**
24 **ash in mixture with flue gas desulfurization byproducts generated**
25 **by material produced from the combustion of coal or the**
26 **cleaning of stack bases on** coal combustion units, ~~or boiler slag~~
27 if the use includes one (1) of the following uses:

28 (A) The extraction or recovery of materials and compounds
29 contained within coal ~~ash~~: **combustion products.**

30 (B) Bottom ash as an antiskid material.

31 (C) Raw material for manufacturing another product.

32 (D) Mine subsidence, mine fire control, and mine sealing.

33 (E) Structural fill when combined with cement, sand, or water
34 to produce a controlled strength fill material.

35 (F) A base in road construction.

36 **(G) Cover for coal processing waste disposal locations to:**

37 **(i) inhibit infiltration;**

38 **(ii) provide buffering; or**

- 1 (iii) enhance structural integrity;
2 for refuse piles at surface and underground mines subject
3 to IC 14-34 if the department, in concurrence with the
4 department of natural resources, determines that the
5 materials and methods to be employed are appropriate for
6 the intended use.
7 (H) Agricultural applications, when applied using
8 appropriate agronomic amounts to improve crop or
9 vegetative production."

10 Page 6, line 24, delete "6-3.1-25," and insert "**6-3.1-25.2**,".

11 Renummer all SECTIONS consecutively.

(Reference is to SB 417 as reprinted March 4, 2003.)

and when so amended that said bill do pass.

Representative Hasler